

U.S.C. § 201 *et seq.* (Pls.' Original Pet. ¶¶ 66–85.) These claims arise under the laws of the United States, and therefore, this Court has original jurisdiction over the suit pursuant to 28 U.S.C. § 1331 and removal jurisdiction pursuant to 28 U.S.C. § 1441(a).

5. Venue is proper in this Court, as this Court is the district and division embracing the place in which the state court action was pending.

6. Pursuant to Local Rule CV-81(c), the following items are attached as an appendix to this Joint Notice of Removal and are incorporated herein by reference:

- a. A list of all parties in the case, their party type, and the current status of the removed case;
- b. A certified copy of the state court docket sheet, and copies of all process and pleadings relating to this case previously filed with the 431st Judicial District Court of Denton County, Texas, as required by 28 U.S.C. § 1446(a);
- c. A complete list of attorneys involved in the action being removed, including each attorney's bar number, address, telephone, and party or parties represented by the attorneys;
- d. A record of which parties have requested trial by jury; and
- e. The name and address of the court from which the case is being removed.

7. Pursuant to 28 U.S.C. § 1446(d), Defendants are filing written notice of the removal of this action, together with a copy of this Notice of Removal, with the Clerk of the 431st Judicial District Court of Denton County, Texas and are serving same on Plaintiffs' counsel.

WHEREFORE, Defendants Vitty's of Texas LLC, Vitty's Club Inc., and Robert J. Vittitoe respectfully request that this action be removed from the 431st Judicial District Court in

Denton County, Texas to the United States District Court for the Eastern District of Texas, Sherman Division, and Defendants request that this Court assume full jurisdiction of the case herein as provided by law. Defendants further request for such other and further relief to which they may be justly entitled.

Respectfully submitted,

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**ATTORNEYS FOR DEFENDANTS
VITTY'S OF TEXAS LLC, VITTY'S CLUB
INC., AND ROBERT J. VITTITOE**

CERTIFICATE OF SERVICE

This is to certify that on this 13th day of December, 2013, a true and correct copy of the foregoing document was served via certified mail, return receipt requested, upon:

Casey Ransom
Rob Wiley, P.C.
1825 Market Center Blvd., Ste. 385
Dallas, TX 75207

/s/ Sarah Dobson Mitchell

Sarah Dobson Mitchell